DETAILED ACTION

1. Claims 1-58 are pending in this application.

Claim Objections

2. Claims 2, 6, 8, 24, 25, and 31 are objected to because of the following informalities:

    a. Claim 2, line 4, and claim 6, line 5 refer to "said content" which lacks antecedent basis.

    b. Claim 8, lines 2-3 and claim 31, lines 2-3 refer to "said content storage element" which lacks antecedent basis.

Appropriate correction is required.

Claim Rejections - 35 USC § 101

3. 35 U.S.C. 101 reads as follows:

Whoever invents or discovers any new and useful process, machine, manufacture, or composition of matter, or any new and useful improvement thereof, may obtain a patent therefor, subject to the conditions and requirements of this title.

4. **Claims 47-52 are rejected under 35 U.S.C. 101 because the claimed invention is directed to non-statutory subject matter.**

5.   With respect to claims 47-52, the claimed invention is directed towards "a

computer program". A computer program is software and is not one of the

categories of statutory subject matter. See MPEP 2106.01

Claim Rejections - 35 USC § 103

6.   The following is a quotation of 35 U.S.C. 103(a) which forms the basis for

all obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described
> as set forth in section 102 of this title, if the differences between the subject matter sought to
> be patented and the prior art are such that the subject matter as a whole would have been
> obvious at the time the invention was made to a person having ordinary skill in the art to which
> said subject matter pertains. Patentability shall not be negatived by the manner in which the
> invention was made.

7.   **Claims 1-58 are rejected under 35 U.S.C. 103(a) as being**

unpatentable over Karaoguz et al. (US Pub. No. 2004/0117818 A1),

hereinafter Karaoguz, in view of Barrett (US Pub. No. 2004/0205816 A1),

hereinafter Barrett.

8.   With respect to claim 1, Karaoguz discloses a receiver ([0051], lines 2-6)

configured to automatically receive media content ([0051], lines 2-6, when a

television screen or display is used for viewing, receiving media content is

inherent) from at least one preauthorized sender ([0075)], lines 13-15) over a

communication medium ([0092], lines 1-10); a data storage element associated

with said receiver and configured to store said received media content ([0047],
lines 3-6).

Karaoguz does not disclose a user interface associated with said receiver
and configured to provide access to said received media content by selection of
a virtual channel by a user; wherein selection of said virtual channel results in
retrieval of said received media content from said data storage element for
playback.

Barrett, however, discloses a user interface associated with said receiver
and configured to provide access to said received media content by selection of
a virtual channel by a user ([0033], lines 1-11); wherein selection of said virtual
channel ([0033], lines 1-11) results in retrieval of said received media content
from said data storage element ([0033], lines 1-11, when a recorded program is
displayed, retrieving the media content from storage is inherent);for playback
([0033], lines 1-11; [0021], lines 6-10).

Therefore, it would have been obvious to one of ordinary skill in the art at
the time of the invention to modify the teachings of Karaoguz by automatically
receiving media content from a preauthorized sender and storing media content
with selection of a virtual channel for playback as taught by Barrett, in order to
present an informative and user-friendly interface.

9.   With respect to claim 25, Karaoguz discloses a computer ([0050], lines 1-
6); a data storage element associated with said computer ([0050], lines 6-11);

programming executable by said computer for carrying out the operations of

establishing a communication link with a source of media content over said

communication medium ([0092], lines 1-10, when a communication infrastructure

links users and service providers, programming that establishes communication

with a source is inherent), automatically authenticating access rights of said

source of media content as a user selected peer ([0075], lines 13-15),

automatically receiving media content from an authenticated source of media

content ([0075], lines 7-13), automatically storing said media content received

from said authenticated source ([0075], lines 7-13) within said data storage

element ([0047], lines 3-6).

Karaoguz does not disclose for user selected playback, and providing a

user interface associated with said computer and configured to provide access to

said received media content by selection of a virtual channel by a user; wherein

selection of said virtual channel results in retrieval of said received media content

from said data storage element for playback.

Barrett, however, discloses for user selected playback ([0033], lines 1-11;

[0021], lines 6-10), and providing a user interface associated with said computer

and configured to provide access to said received media content by selection of

a virtual channel by a user ([0033], lines 1-11); wherein selection of said virtual

channel results in retrieval of said received media content from said data storage

element ([0033], lines 1-11) for playback ([0033], lines 1-11; [0021], lines 6-10).

Therefore, it would have been obvious to one of ordinary skill in the art at

the time of the invention to modify the teachings of Karaoguz by sharing media

over a communication medium consisting of a computer, storage, communication

link, authenticating, and receiving media with selection of a virtual channel for

playback as taught by Barrett, in order to present an informative and user-friendly

interface.

10.   With respect to claim 47, Karaoguz discloses establishing a

communication link with a source of media content over a communication

medium ([0092], lines 1-10) automatically authenticating access rights of a

source of media content as a user selected peer ([0075], lines 13-15),

automatically receiving media content from an authenticated source of media

content ([0075], lines 7-13), automatically storing said media content received

from said authenticated source ([0075], lines 7-13) within said data storage

element ([0047], lines 3-6).

    Karaoguz does not disclose for user selected playback, and providing a

user interface associated with said computer and configured to provide access to

said received media content by selection of a virtual channel by a user; wherein

selection of said virtual channel results in retrieval of said received media content

from said data storage element for playback.

    Barrett, however, discloses for user selected playback ([0033], lines 1-11;

[0021], lines 6-10), and providing a user interface associated with said computer

and configured to provide access to said received media content by selection of

a virtual channel by a user ([0033], lines 1-11); wherein selection of said virtual

channel results in retrieval of said received media content from said data storage element ([0033], lines 1-11) for playback ([0033], lines 1-11; [0021], lines 6-10).

Therefore, it would have been obvious to one of ordinary skill in the art at the time of the invention to modify the teachings of Karaoguz by sharing media over a communication medium consisting of a computer, storage, communication link, authenticating, and receiving media with selection of a virtual channel for playback as taught by Barrett, in order to present an informative and user-friendly interface.

11.   With respect to claims 53, Karaoguz discloses establishing a communication link with a source of media content over said communication medium ([0092], lines 1-10), automatically authenticating access rights of said source of media content as a user selected peer ([0075], lines 13-15), automatically receiving media content from an authenticated source of media content ([0075], lines 7-13), automatically storing said media content received from said authenticated source ([0075], lines 7-13) within said data storage element ([0047], lines 3-6).

Karaoguz does not disclose for user selected playback, and providing a user interface associated with said computer and configured to provide access to said received media content by selection of a virtual channel by a user; wherein selection of said virtual channel results in retrieval of said received media content from said data storage element for playback.

Barrett, however, discloses for user selected playback ([0033], lines 1-11;

[0021], lines 6-10), and providing a user interface associated with said computer

and configured to provide access to said received media content by selection of

a virtual channel by a user ([0033], lines 1-11); wherein selection of said virtual

channel results in retrieval of said received media content from said data storage

element ([0033], lines 1-11) for playback ([0033], lines 1-11; [0021], lines 6-10).

Therefore, it would have been obvious to one of ordinary skill in the art at

the time of the invention to modify the teachings of Karaoguz by establishing

communication, authenticating, receiving and storing media content with

selection of a virtual channel for playback as taught by Barrett, in order to present

an informative and user-friendly interface.

12.   With respect to claim 2, Karaoguz discloses means for automatically

authenticating media content ([0075], lines 1-15) arriving at said receiver for

storage within said data storage element ([0050], lines 1-8) in response to a

determination as to whether said content is from a preauthorized sender ([0075],

lines 1-15).

13.   With respect to claim 3, Karaoguz discloses said determination of a

preauthorized sender is performed in response to a source address of said

received media content ([0075], lines 1-15).

14.   With respect to claim 4, Karaoguz discloses said source address

comprises an address ([0075], lines 1-7, device IDs are considered to include an

address) transmitted over said communication medium ([0092], lines 1-5).

15.   With respect to claim 5, Karaoguz discloses said address comprises a

phone number or internet protocol (IP) address ([0075], lines 1-7, device Ids are

considered to include an address).

16.   With respect to claim 6, Karaoguz discloses said determination of a

preauthorized sender is performed in response to an identifier ([0075], lines 1-15)

known by said means for automatically authenticating which of said media

content arriving at said receiver ([0075], lines 1-15) is to be stored within said

data storage element ([0047], lines 3-6) in response to a determination as to

whether said content is from a preauthorized sender ([0073], lines 6-14).

17.   With respect to claim 7, Karaoguz discloses said identifier is selected from

the group consisting essentially of a username, user code, unit code, password

code, identifier from a smart card, biometric identifier, and combinations thereof

([0075], lines 1-15).

18.   With respect to claim 8, the claim is rejected for the same reasons as

claim 1 above. In addition, Barrett discloses means for providing notification of

media content having been stored on said content storage element ([0044], lines

1-2).

19.   With respect to claim 9, the claim is rejected for the same reasons as

claim 1 above. In addition, Barrett discloses said media content may be

accessed by interacting with said notification ([0033], lines 1-11).

20.   With respect to claim 10, the claim is rejected for the same reasons as

claim 1 above. In addition, Barrett discloses said media content is played back in

response to user interaction with said notification ([0033], lines 1-11; [0021], lines

6-10).

21.   With respect to claim 11, the claim is rejected for the same reasons as

claim 1 above. In addition, Barrett discloses said notification is presented to said

user within a program guide ([0025], lines 5-8; [0024], lines 4-6).

22.   With respect to claim 12, the claim is rejected for the same reasons as

claim 1 above. In addition, Barrett discloses said program guide comprises a

listing of channels and associated content, within which a notification of said

received media content is presented ([0030], lines 1-8; [0029], lines 1-6).

23.   With respect to claim 13, the claim is rejected for the same reasons as

claim 1 above. In addition, Barrett discloses said notification further comprises a

content length value given as a time length value or a file length value ([0027],

lines 1-9).

24.   With respect to claim 14, the claim is rejected for the same reasons as

claim 1 above. In addition, Barrett discloses said notification further comprises

information about when the media content was recorded ([0028], lines 1-4).

25.   With respect to claim 15, the claim is rejected for the same reasons as

claim 1 above. In addition, Barrett discloses said notification further comprises

information about when the media content was received at said receiver ([0027],

lines 1-9).

26.   With respect to claim 16, Karaoguz discloses said apparatus is integrated

within a device selected from the group consisting essentially of a set-top box,

television system, audio system, gaming system, personal computer system, and

combinations thereof ([0043], lines 1-3; [0108], lines 1-4).

27.   With respect to claim 17, Karaoguz discloses a transmitter ([0080], lines 8-

11, when media is exchanged, a transmitter as part of the media exchange

network is inherent) over said communication medium ([0092], lines 1-10)

configured for connection to an input element for transmitting said media content

from a first peer location to a second peer location ([0080], lines 8-11, when

media is exchanged, a transmitter as part of the media exchange network is

inherent) over said communication medium ([0092], lines 1-10); and means for

encoding source address information about said first peer location for

transmission with said media content to said second peer location ([0075], lines

1-7, device ID is considered to include an address).

28.   With respect to claim 18, Karaoguz discloses said transmitter is configured

for attachment to input elements selected from the group of consisting essentially

of a video camera, digital still camera, video recorder, video cassette recorder,

video playback system, digital video disk system, audio recording system, audio

playback system, and combinations thereof ([0052], lines 1-7; [0042], lines 1-4).

29.   With respect to claim 19, the claim is rejected for the same reasons as

claim 1 above. In addition, Barrett discloses said receiver is connected through

said communication medium through a back-channel ([0071], lines 11-16).

30.   With respect to claim 20, Karaoguz discloses said communication medium

is selected from the group consisting essentially of a telephone network, the

Internet, a cable television network, a powerline network, a wireless network, and

a directly wired link ([0092], lines 1-5).

31.   With respect to claim 21, Karaoguz discloses said data storage element is

located on an intermediary server ([0047], lines 3-6).

32.   With respect to claim 22, Karaoguz discloses said data storage element
comprises a fixed or removable data storage media ([0050], lines 6-11).

33.   With respect to claim 23, Karaoguz discloses said data storage element
comprises a hard disk drive ([0050], lines 6-11).

34.   With respect to claim 24, Karaoguz discloses a computer ([0050], lines 1-
6); and programming executable by said computer for carrying out the operations
of establishing communication with a source of media content over said
communication medium ([0092], lines 1-10, when a communication infrastructure
links users and service providers, programming that establishes communication
with a source is inherent), authenticating the access rights of said source as a
user selected peer ([0075], lines 13-15), initiating a download of said media
content from said source ([0104], lines 1-7), and storing said media content
received from said source ([0075], lines 7-13) within said data storage element
([0047], lines 3-6).

Karaoguz does not disclose for user selected playback.

Barrett, however, discloses for user selected playback ([0033], lines 1-11;
[0021], lines 6-10).

Therefore, it would have been obvious to one of ordinary skill in the art at
the time of the invention to modify the teachings of Karaoguz by automatically
receiving media content from a preauthorized sender, storing media content, and
means for automatically authenticating media content with user selected

playback as taught by Barrett, in order to present an informative and user-friendly interface.

35.   With respect to claims 26, Karaoguz discloses authentication of access rights is performed in response to a source address of said media content ([0075], lines 1-13).

36.   With respect to claim 27, Karaoguz discloses said source address comprises an address ([0075], lines 1-7, device IDs are considered to include an address) transmitted over said communication medium ([0092], lines 1-5).

37.   With respect to claim 28, Karaoguz discloses said address comprises a phone number or internet protocol (IP) address ([0075], lines 1-7, device Ids are considered to include an address).

38.   With respect to claim 29, Karaoguz discloses said authentication of access rights is performed in response to a source identifier ([0075], lines 1-13).

39.   With respect to claim 30, Karaoguz discloses said source identifier is selected from the group consisting essentially of a username, user code, unit code, password code, identifier from a smart card, biometric identifier, and combinations thereof ([0075], lines 1-15).

40.   With respect to claim 31, the claim is rejected for the same reasons as claim 25 above. In addition, Barrett discloses means for providing notification of media content having been stored on said content storage element ([0044], lines 1-2).

41.   With respect to claim 32, the claim is rejected for the same reasons as claim 25 above. In addition, Barrett discloses said media content may be accessed by interacting with said notification ([0033], lines 1-11).

42.   With respect to claim 33, the claim is rejected for the same reasons as claim 25 above. In addition, Barrett discloses said media content is played back in response to user interaction with said notification ([0033], lines 1-11; [0021], lines 6-10).

43.   With respect to claim 34, the claim is rejected for the same reasons as claim 25 above. In addition, Barrett discloses said notification is presented to said user within a program guide ([0025], lines 5-8; [0024], lines 4-6).

44.   With respect to claim 35, the claim is rejected for the same reasons as claim 25 above. In addition, Barrett discloses said program guide comprises a listing of channels and associated content, within which a notification of said received media content is presented ([0030], lines 1-8; [0029], lines 1-6).

45.   With respect to claim 36, the claim is rejected for the same reasons as

claim 25 above. In addition, Barrett discloses said notification further comprises

a content length value given as a time length value or a file length value ([0027],

lines 1-9).

46.   With respect to claim 37, the claim is rejected for the same reasons as

claim 25 above. In addition, Barrett discloses said notification further comprises

information about when the media content was recorded ([0028], lines 1-4).

47.   With respect to claim 38, the claim is rejected for the same reasons as

claim 25 above. In addition, Barrett discloses said notification further comprises

information about when the media content was received at said receiver ([0027],

lines 1-9).

48.   With respect to claim 39, Karaoguz discloses said apparatus is integrated

within a device selected from the group consisting essentially of a set-top box,

television system, audio system, gaming system, personal computer system, and

combinations thereof ([0043], lines 1-3; [0108], lines 1-4).

49.   With respect to claim 40, Karaoguz discloses a transmitter ([0080], lines 8-

11, when media is exchanged, a transmitter as part of the media exchange

network is inherent) over said communication medium ([0092], lines 1-10)

configured for connection to an input element for transmitting said media content

from a first peer location to a second peer location ([0080], lines 8-11, when

media is exchanged, a transmitter as part of the media exchange network is

inherent) over said communication medium ([0092], lines 1-10); and means for

encoding source address information about said first peer location for

transmission with said media content to said second peer location ([0075], lines

1-7, device ID is considered to include an address).

50.   With respect to claim 41, Karaoguz discloses said transmitter is configured

for attachment to input elements selected from the group of consisting essentially

of a video camera, digital still camera, video recorder, video cassette recorder,

video playback system, digital video disk system, audio recording system, audio

playback system, and combinations thereof ([0052], lines 1-7; [0042], lines 1-4).

51.   With respect to claim 42, the claim is rejected for the same reasons as

claim 25 above. In addition, Barrett discloses said receiver is connected through

said communication medium through a back-channel ([0071], lines 11-16).

52.   With respect to claim 43, Karaoguz discloses said communication medium

is selected from the group consisting essentially of a telephone network, the

Internet, a cable television network, a powerline network, a wireless network, and

a directly wired link ([0092], lines 1-5).

53.   With respect to claim 44, Karaoguz discloses said data storage element is located on an intermediary server ([0047], lines 3-6).

54.   With respect to claim 45, Karaoguz discloses said data storage element comprises a fixed or removable data storage media ([0050], lines 6-11).

55.   With respect to claim 46, Karaoguz discloses said data storage element comprises a hard disk drive ([0050], lines 6-11).

56.   With respect to claims 48, Karaoguz discloses authentication of access rights is performed in response to a source address of said media content ([0075], lines 1-13).

57.   With respect to claim 49, Karaoguz discloses said source address comprises an address ([0075], lines 1-7, device IDs are considered to include an address) transmitted over said communication medium ([0092], lines 1-5).

58.   With respect to claim 50, Karaoguz discloses said address comprises a phone number or internet protocol (IP) address ([0075], lines 1-7, device Ids are considered to include an address).

59.   With respect to claim 51, Karaoguz discloses said authentication of access rights is performed in response to a source identifier ([0075], lines 1-13).

60.	With respect to claim 52, Karaoguz discloses said source identifier is selected from the group consisting essentially of a username, user code, unit code, password code, identifier from a smart card, biometric identifier, and combinations thereof ([0075], lines 1-15).

61.	With respect to claim 54, Karaoguz discloses authentication of access rights is performed in response to a source address of said media content ([0075], lines 1-13).

62.	With respect to claim 55, Karaoguz discloses said source address comprises an address ([0075], lines 1-7, device IDs are considered to include an address) transmitted over said communication medium ([0092], lines 1-5).

63.	With respect to claim 56, Karaoguz discloses said address comprises a phone number or internet protocol (IP) address ([0075], lines 1-7, device Ids are considered to include an address).

64.	With respect to claim 57, Karaoguz discloses said authentication of access rights is performed in response to a source identifier ([0075], lines 1-13).

65.	With respect to claim 58, Karaoguz discloses said source identifier is selected from the group consisting essentially of a username, user code, unit

code, password code, identifier from a smart card, biometric identifier, and

combinations thereof ([0075], lines 1-15).

Conclusion

Any inquiry concerning this communication or earlier communications from

the examiner should be directed to TREVILLIAN H. HIGHTER whose telephone

number is (571)270-3806. The examiner can normally be reached on Monday-

Thursday 7:30-5:00.

If attempts to reach the examiner by telephone are unsuccessful, the

examiner's supervisor, Nabil El-Hady can be reached on (571) 272-3963. The

fax phone number for the organization where this application or proceeding is

assigned is 571-273-8300.

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Representative or access to the automated information system, call 800-786-

9199 (IN USA OR CANADA) or 571-272-1000.

THH 1/10/2008

/Nabil El-Hady/
Supervisory Patent Examiner, Art Unit 4152